

Reply to Office Action and Amendment under 37 CFR §1.116
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from reference character 30. No new matter was presented and entry thereof is respectfully requested.

In the Office Action, the Examiner rejected independent Claims 1, 11 and 12 and dependent Claims 2-5 under 35 U.S.C. §102(b) as being anticipated by Joseph et al., U.S. Patent 5,387,016. The undersigned attorney respectfully traverses the Examiner's rejection under 35 U.S.C. §102(b) in view of the amendments presented herein and submitted herewith as well as the following argument.

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. §102 is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents, functioning in substantially the same way to produce substantially the same results. As most recently noted by the Court of Appeals of the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick*, 221 USPQ 481, 485 (1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. §102, the Court stated:

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."

Applicant's independent Claim 1 as amended requires:

"A reinforced hose coupling defining a crimp area of a predetermined longitudinal extent, said reinforced hose coupling comprising:

an inner sleeve...having an inner diameter...;
a hose...;
an outer sleeve... including at least one depression therein
formed by a crimping operation, said at least one depression defining a crimp area of a predetermined longitudinal extent...; and

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at least one reinforcing ring positioned within... said predetermined longitudinal extent defined by said crimp area, whereby said at least one reinforcing ring provides localized support along said predetermined longitudinal extent to resist deformation of said inner sleeve during said crimping operation."

Applicant's independent Claim 11 as amended requires:

"A reinforced hose coupling defining a crimp area of a predetermined longitudinal extent, said reinforced hose coupling comprising:

a hose...;
an outer sleeve... having a plurality of depressions therein, said plurality of depressions defining a crimp area of a predetermined longitudinal extent...;
an inner sleeve having an inner diameter...; and
at least one reinforcing ring situated... within said predetermined longitudinal extent defined by said crimp area, whereby said at least one reinforcing ring provides localized support along said predetermined longitudinal extent to resist deformation of said inner sleeve."

Applicant's independent Claim 12 as amended requires:

"A reinforced hose coupling defining a crimp area of a predetermined longitudinal extent, said reinforced hose coupling comprising:

a hose...;
an outer sleeve... having at least one depression therein, said at least one depression defining a crimp area of a predetermined longitudinal extent...;
an inner sleeve having an inner diameter...; and
at least one reinforcing ring situated... within said predetermined longitudinal extent defined by said crimp area, whereby said at least one reinforcing ring provides localized support along said predetermined longitudinal extent to resist deformation of said inner sleeve."

Joseph et al. do not disclose a reinforcing ring positioned within a predetermined longitudinal extent defined by a crimp area as required by Applicant's

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amended independent Claims 1, 11 and 12. Joseph et al. disclose a tubular lining that extends throughout the entire region of a tubular body to which a crimp force could be applied such that the tubular body is supported at any position that is crimped. Applicant structurally replaces the elongated tubular liner disclosed in Joseph et al. with a discrete reinforcing ring located in the predetermined longitudinal extent defined by a crimp area to obviate the structural shortcomings of Joseph et al. set forth in the background of the invention. As the area of peak crimp force differs for each coupling, Applicant must predetermine the longitudinal extent defined by a crimp area in order to establish the proper location for the reinforcing ring. The fact that the area of peak crimp force differs for each coupling is not significant to the Joseph et al. disclosure because the elongated tubular liner supports the entire region to which a crimp may be applied. Joseph et al. do not disclose a predetermined area of peak crimp force because such information is not important to the invention.

Joseph et al. do not have a reinforcing ring that provides localized support along a predetermined longitudinal extent as required by Applicant's amended independent Claims 1, 11 and 12. As previously indicated, Joseph et al. disclose a tubular lining that extends throughout the entire region of the connection to which a crimp force could be applied. The support element in Joseph et al. is not localized along a predetermined longitudinal extent defined by a crimp area.

In view of the foregoing remarks, the undersigned attorney respectfully submits that Joseph et al. do not teach or suggest Applicant's invention.

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Specifically, Joseph et al. do not teach or suggest providing localized support along a predetermined longitudinal extent defined by a crimping operation.

Therefore, in applying the test for anticipation as set forth in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick*, supra, Joseph et al. do not anticipate independent Claims 1, 11 or 12. Further, under principles of claim dependency, Joseph et al. do not anticipate dependent Claims 2-5 either. Accordingly, withdrawal of the rejection of Claims 1-5, 11 and 12 under 35 U.S.C. §102 is respectfully requested.

In view of the foregoing remarks, the undersigned attorney respectfully submits that Joseph et al. do not teach or suggest Applicant's invention. Specifically, Joseph et al. do not teach or suggest providing localized support along a predetermined longitudinal extent defined by a crimping operation.

The undersigned wishes to express his appreciation to the Examiner for the indication that Claims 6-10 are allowed. In view of the finality of the above referenced Office Action, every effort has been made to resolve all issues pending in this application. In the event the Examiner is not persuaded of the patentability of the claims as amended herein, he is respectfully requested to enter this amendment for purposes of appeal.

In accordance with the provisions of 37 CFR §1.121, a copy of the claims as currently pending in the application, omitting all bracketed text and underlining, is included herewith as Exhibit A.

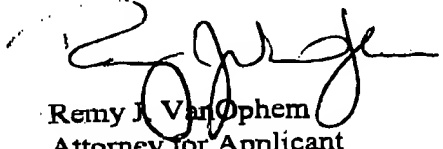
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If the Examiner has any questions with respect to any matter now of
record, Applicant's attorney may be reached at (248) 362-1210.

Respectfully submitted,

VANOPHEM & VANOPHEM, P.C.

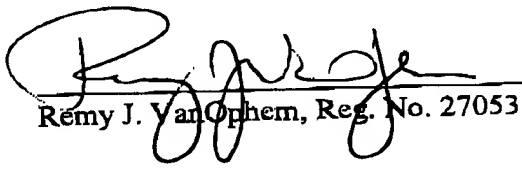


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Date: December 26, 2001

Remy J. VanOphem, Reg. No. 27053